
Appeal Decision

Site visit made on 14 May 2014

by K E Down MA(Oxon) MSc MRTPI MSB

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 May 2014

Appeal Ref: APP/L3245/A/14/2212759

Hawkstone, Hazler Crescent, Church Stretton, Shropshire, SY6 7AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr B Bromley against the decision of Shropshire Council.
 - The application Ref 13/03374/OUT, dated 18 July 2013, was refused by notice dated 18 November 2013.
 - The development proposed is erection of 3 bed house with parking.
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Decision

1. The appeal is dismissed.

Main Issue

2. There is one main issue which is the effect of the proposed dwelling on the character and appearance of the appeal site, Hazler Crescent and the surrounding area, including the Church Stretton Conservation Area.

Reasons

3. The appeal is made in outline with all matters other than access reserved. One off street parking space is shown on the frontage. Indicative plans show a three bedroom two storey dwelling.
 4. The appeal site, which currently forms the large side garden at Hawkstone, occupies a prominent location in Hazler Crescent between Hawkstone and its neighbour to the south west, Tanat. There is currently a sectional double garage on the site which would be demolished.
 5. Hazler Crescent lies within the Church Stretton Conservation Area (CA). Although there are properties of various ages and designs the street is characterised most strongly by older, two and three storey, detached dwellings which are architecturally pleasing and retain original period details. Most are set on generous plots with off street parking to the side or rear. Several are on smaller, narrower plots, including Somerford and Inglesant, which are close to the appeal site. However, these are of a similar elegant appearance, set behind neat frontages. Overall the predominant impression is of an established, spacious and well landscaped street.
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6. Hawkstone and its north easterly neighbour, Derwen are architecturally simpler, set close together and close to Somerford. They have a more cramped appearance and this, together with their plainer design, sets them apart from the nearby dwellings. The appeal site provides a clear break between this denser layout and the rest of the street, limiting its effect and providing relief. Although the appeal site is occupied by an unattractive garage this is of restricted height and well separated from Hawkstone, ensuring that the overriding impression is of a gap in the built up frontage and openness above and to the side of the low garage building.
7. The Church Stretton Town Design Statement (DS), which was prepared on behalf of Church Stretton Town Council and approved by the former South Shropshire District Council in 2007, does not appear to have the status of adopted supplementary planning guidance. Nevertheless, it is a material consideration and was subject to consultation during its preparation. In consequence, I afford it reasonable weight. The DS sets out guidelines for new development, including that infill and building in gardens should respect the character and appearance of the area. It goes on to state that new development should respect, maintain and enhance local distinctiveness and character and be of an appropriate scale. With specific reference to Hazler Road, Hazler Crescent and the immediate area the DS advises that development should generally reflect the style of the earlier houses and should harmonise in terms of scale and materials. Density should be appropriate to the area and allow adequate space for landscaping.
8. The indicative plans show that a dwelling not dissimilar in scale and appearance to Hawkstone and Derwen could be accommodated on the plot and would be at a similar density. However, these dwellings do not themselves reflect the prevailing character or appearance of the area in terms of design, scale, layout or density. An additional narrow dwelling on the appeal site would thus not only be out of keeping with the predominant character of the area but would extend the short run of higher density development, to the detriment of the street scene. Although plot sizes are variable in Hazler Crescent the appeal site, owing to its limited width, noticeably less than at Hawkstone, would appear particularly constrained. In addition, the proposed off street parking on the frontage, which is considered necessary by the Highway Authority, would be inconsistent with the prevailing pattern of off street parking provision and would limit the opportunities for landscaping to the front of the dwelling, emphasising the contrast between it and the majority of houses in their well vegetated plots.
9. The appellant suggests that the redevelopment of the appeal site would result in a positive benefit to the CA. However, whilst the removal of the existing double garage might lead to an enhancement, the subsequent infilling of the plot with a much larger structure which would erode the gap between Hawkstone and Tanat and reduce the openness around the existing garage would cause demonstrable harm to the area and would fail to preserve or enhance the character or appearance of the Church Stretton CA, a designated heritage asset.
10. The National Planning Policy Framework (NPPF) states that where a proposal would lead to less than substantial harm to a designated heritage asset, which I consider would be the case, the harm should be weighed against the public benefits of the proposal. There is no dispute between the parties that at present

the Council does not have a five year housing supply. The appellant suggests that the proposed dwelling would make a valuable contribution towards meeting the deficit. However, whilst even one dwelling would be of some value, the limited public benefits would not be sufficient in this case to outweigh the material harm to the heritage asset, the conservation of which, in accordance with the NPPF, should be given great weight.

11. It is concluded on the main issue that the proposed dwelling would have a materially harmful effect on the character and appearance of the appeal site, Hazler Crescent and the surrounding area and would fail to preserve or enhance the character or appearance of this part of the Church Stretton CA. In consequence it would conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy, 2011, which taken together expect new development to be designed to a high quality which respects and enhances local distinctiveness, including that of heritage assets, and protects and enhances the built and historic environment.
12. The Council states in evidence that the proposed development would, in accordance with adopted policies for affordable housing, be subject to an appropriate financial contribution towards the provision of affordable housing in the area. The appellant does not dispute this and has submitted a draft s106 agreement although a completed document is not before me. However, I have not been provided with sufficient information to enable me to establish whether the proposed contribution would meet the three statutory tests set out in paragraph 204 of the NPPF. Consequently I am unable to assess whether a contribution would be necessary. In any case, a contribution towards affordable housing would not outweigh the harm that I have already identified in respect of the main issue.
13. The appeal site lies within the Shropshire Hills Area of Outstanding Natural Beauty (AONB). However, as it is within an established residential area of Church Stretton, I agree with the Council that the proposed dwelling would not have a detrimental effect on the landscape of the AONB. Nevertheless, this lack of harm would not alter or outweigh my findings with respect to the effect on the character and appearance of the CA.
14. New Planning Guidance was published on-line on 6 March 2014 and applies from that date. The content of the guidance has been considered but I am satisfied that it does not alter my conclusions in this case.
15. For the reasons set out above and having regard to all other matters raised, including the sustainability of the location and the proposed dwelling, the living conditions of occupiers of Tanat and the alleged historic intentions to build a dwelling at the appeal site, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR